

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: ZIMMER NEXGEN KNEE)
IMPLANT PRODUCTS LIABILITY)
LITIGATION)
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MDL No. 2272

Master Docket Case No. 1:11-cv-05468

This Document Relates to All Cases

**JOINT PROPOSED STIPULATION FOR MASTER COMPLAINT
AND SHORT FORM COMPLAINT PROCEDURES**

1. On December 19, 2011, the Court entered an Order requiring the filing of the Master Complaint and Short Form Complaint by January 3, 2012, with Defendants' response due on or before February 16, 2012, and motions to dismiss the Master Complaint due 45 days after filing. (Document 186).
2. On Thursday, December 29, 2011, the parties conferred regarding the current schedule for master pleadings. Plaintiffs requested an enlargement of the deadline for filing the Master Complaint, and Defendants agreed to Plaintiffs' requested enlargement.
3. On Friday, December 30, 2011, Plaintiffs filed a Motion for Extension of Master Pleading Deadline.
4. On January 2, 2012, the parties conferred further regarding the current schedule for master pleadings.
5. The parties now propose the following amendment to the procedure for the efficiency of these proceedings:

- a. On January 12, 2012, Plaintiffs shall file a Master Long Form Complaint.
- b. On January 12, 2012, Plaintiffs shall file a proposed form of a Short Form Complaint.
- c. Defendants shall file an answer or other response to the Master Long Form Complaint within 45 days of its filing or, by Monday, February 27, 2012.
- d. By January 19, 2012, the parties will stipulate to the entry of an Order approving the Short Form Complaint (as to form only), or Defendants shall file an objection to the form of the Short Form Complaint. Absent objection by Defendants to the form of the Short Form Complaint, the plaintiffs in matters previously transferred into this MDL will have thirty (30) days from its filing, or until February 11, 2011, to adopt the Master Long Form Complaint by filing the court-approved Short Form Complaint.
- e. Defendants must file a specific answer or other response to an individual plaintiff's Short Form Complaint within thirty (30) days. If no answer or other response is filed, the Short Form Complaint will be deemed to have been answered by Defendants' adoption of any Master Answer filed, without requirement for further answer by Defendants.
- f. If Defendants decide to specifically answer or respond to the Short Form Complaint of any individual plaintiff, then plaintiffs shall have twenty-one (21) days to file the appropriate response.

Dated: January 3, 2012

Respectfully submitted,

POGUST BRASLOW & MILLROOD, LLC

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Proposed Plaintiffs' Liaison Counsel

CERTIFICATE OF SERVICE

I certify that on January 3, 2012, a copy of the foregoing *Joint Proposed Stipulation for Master Complaint and Short Form Complaint Procedures* was filed electronically by using the CM/ECF system, which will deliver the document to all counsel of record.

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